

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: <u>1</u> DATE FILED: <u>1/14/2021</u>
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THIS MATTER RELATES TO:

Changes to Filing Procedures for

Temporary Restraining Orders and

28 U.S.C. §2255 Motions to Vacate, Set Aside or

Correct Sentence

21mc16

M10-468

STANDING ORDER

WHEREAS the court's Electronic Case Filing (ECF) system having been modified to alter the filing procedures for a proposed Order to Show Cause that includes a Temporary Restraining Order, or other proposed order for emergency relief, and the Court having modified its procedures for filing a Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. §2255, it is hereby

ORDERED, effective immediately, a proposed Order to Show Cause that includes a Temporary Restraining Order, or other proposed order for emergency relief, must be filed electronically through the court's Electronic Case Filing (ECF) system in conformity with the procedures outlined in the court's ECF Rules & Instructions. If an appearance is required by the Court, any order issued in response to such application will detail procedures for such a proceeding.

Pro se parties without electronic filing privileges are exempt from the requirement to file electronically through the ECF system.

This change in procedure, previously announced as temporary (see Standing Order, 20 MC 181), is hereby made permanent and applies to publicly filed civil and miscellaneous

cases, both pending and newly filed. It is further

ORDERED, effective immediately, attorneys filing a Motion to Vacate, Set Aside or Correct Sentence in a criminal action pursuant to 28 U.S.C. §2255 do not have to deliver a paper copy of the motion to the court, nor does a PDF version of the Motion have to be sent to the court by email. Upon the filing of the Motion in the criminal action, the Clerk of Court will be responsible for opening the civil action associated with the criminal case.

Pro se parties filing a Section 2255 Motion are exempt from the requirement to file electronically through the ECF system.

The court's Standing Orders regarding civil case opening (15 MC 131) and miscellaneous case opening (17 MC 201), as well as the court's ECF Rules & Instructions, shall be amended in accordance with these changes.

SO ORDERED.

Dated: January 14, 2021
New York, NY

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge